

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RACHEL BLAKEMAN,

Plaintiff,

v.

RICHARD BLAKEMAN,

Defendant.

Case No.: 13-cv-07348-LTS

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed (1) affirmation of JUSTIN MERCER, dated January 7, 2014, and the exhibits attached thereto, (2) memorandum of law, and (3) upon all other papers, pleadings, and proceedings heretofore had and filed herein, Plaintiff RACHEL BLAKEMAN (“Plaintiff”), by and through the undersigned counsel, will move in this Court at the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 17C, New York, New York, before the Honorable Laura Taylor Swain, United States District Judge, on February 3, 2014 at 9:30AM or as soon thereafter as counsel can be heard, for an Order pursuant to Rule 11 of the Federal Rules of Civil Procedure, Section 1927 of Title 28 of the United States Code, and/or in the Court’s inherent power, imposing sanctions in the form of attorney’s fees and expenses against Defendant and Defendant’s counsel for signing and submitting the Answer with Counterclaims [ECF No. 3] without conducting a reasonable inquiry into the available facts, such that it was filed to harass and intimidate Plaintiff, to increase her litigation costs, and to create the appearance of a set-off to her claims; and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to Rule 11(c)(2) of the FRCP and provision A.2(b)(i)(A) of the Individual Practices of Judge Laura Taylor Swain, the undersigned used its best efforts to resolve informally the matters raised in this submission, but was not able to

do so.

Dated: Brooklyn, New York
January 7, 2014

Respectfully Submitted,

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/s/ Brett E. Lewis

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